## -- <u>REPLACEMENT MINUTES</u> --

## **For**

## **TUESDAY, MAY 31, 2005**

Please disregard the minutes sent earlier for the above date, and use the attached replacement. The oral argument minutes were inadvertently omitted.

Thank you.

# [NO MINUTES WERE GENERATED ON MONDAY, MAY 30, 2005, DUE TO THE COURT'S OBSERVANCE OF MEMORIAL DAY.]

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#### SUPREME COURT MINUTES TUESDAY, MAY 31, 2005 LOS ANGELES, CALIFORNIA

The Supreme Court of California convened in its courtroom in the Ronald Reagan State Office Building, Third Floor, South Tower, 300 South Spring Street, Los Angeles, California, on May 31, 2005, at 2:00 p.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Calendar Coordinator.

S123766 Scottsdale Insurance Company, Plaintiff and Appellant

v.

MV Transportation, Inc., et al., Defendants and Respondents

Cause called. Neil Selman argued for Appellant.

Richard DeNatale argued for Respondent.

Mr. Selman replied. Cause submitted.

S015008 The People, Respondent

v.

Mark Lindsey Schmeck, Appellant

Cause called. Cliff Gardner argued for Appellant.

Violet Lee, Office of the Attorney General, argued for Respondent.

Mr. Gardner replied. Cause submitted.

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S014664 The People, Respondent

v.

Mario Lewis Gray, Appellant

Cause called. Mark A. Borenstein argued for Appellant.

Robert David Bretón, Office of the Attorney General, argued for

Respondent.

Mr. Borenstein replied.

Cause submitted.

Court recessed until 9:00 a.m., Wednesday, June 1, 2005.

S060803 PEOPLE v. MUNGIA (JOHN)

Extension of time granted

to August 1, 2005 to file appellant's reply brief. Extension is granted based upon Supervising Deputy State Public Defender Jeffrey J. Gale's representation that he anticipates filing that brief by 8/1/2005. After that date, no further extension is contemplated.

S075875 PEOPLE v. RUSSELL (TIMOTHY R.) Extension of time granted

to August 1, 2005 to file appellant's opening brief. After that date, only six further extensions totaling about 310 additional days will be granted. Extension is granted based upon Deputy State Public Defender Kent Barkhurst's representation that he anticipates filing that brief by 6/2006.

S076582 PEOPLE v. BLACKSHER (ERVEN R.)

Extension of time granted

to September 6, 2005 to file respondent's brief.

S107508 VALDEZ (ALFREDO R.) ON H.C.

Extension of time granted

to June 30, 2005 to file the reply to the return to the order to show cause. Extension is granted based upon counsel Marilee Marshall's representation that she anticipates filing that document by 6/30/2005. After that date, no further extension is contemplated.

S117112 MAJORS (JAMES D.) ON H.C.

Extension of time granted

to June 20, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon Assistant Federal Public Defender Joseph Schlesinger's representation that he anticipates filing that document by 7/18/2005.

S122384 STURM (GREGORY) ON H.C.

Extension of time granted

to June 30, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by 8/1/2005.

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S131052

B172763 Second Appellate District, Division Six PEOPLE v. WATSON

Extension of time granted

to June 28, 2005 for respondent to file his

opening brief on the merits.

S132795

B173037 Second Appellate District, Division Four PEOPLE v. DAVIE

Counsel appointment order filed

the California Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.